

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO**

DEAN GILLISPIE,	:	
	:	Case No. 3:13-cv-00416
PLAINTIFF,	:	
	:	
v.	:	Judge Thomas M. Rose
	:	
MIAMI TOWNSHIP, et al,	:	
	:	
DEFENDANTS.	:	

UNOPPOSED MOTION REQUESTING COURT VOIR DIRE AS TO ONE ISSUE

Comes now Plaintiff, Dean Gillispie, by and through counsel, and respectfully ask the Court to conduct voir dire as to one issue, stating:

As the Court knows, this trial centers on Plaintiff's claims he was wrongfully convicted of three Dayton-area rapes that took place in 1988.

The parties recognize that accusations of rape, and denial of such accusations, may be very sensitive for many jurors and even "triggering" for survivors or those with family members or loved ones who have survived such a crime.

Given the sensitivity around these issues, Plaintiff respectfully request the Court, rather than the one of Plaintiff or Defendant Moore's counsel, ask the following question:

In this case you will hear evidence about three rape victims who identified Plaintiff from a photograph and again at a criminal trial. The Plaintiff claims that the women are mistaken and that he is innocent. For those of you who are selected as a juror in this case, it will be your sworn duty to decide the case based on the evidence presented to you in this court and treating all the parties to the case with the same fair consideration.

If you or anyone close to you has been a victim of a similar crime, including any form of sexual assault, or if you have strong beliefs which may influence your decision in a case of this type, please raise your hand so that that attorneys and I can speak with you in private.

Plaintiff reached out to counsel for Defendant Moore who does not oppose this motion.
(And, this Court has ruled that Miami Township is not participating in voir dire).

Respectfully submitted,

/s/ David B. Owens

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David B. Owens

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CERTIFICATE OF SERVICE

I hereby certify that on November 4, 2022, a copy of the foregoing was filed using the Clerk of Court's CM/ECF filing system which will send Notification of such to counsel for Matthew Scott Moore and Miami Township.

Respectfully submitted,

/s/ David B. Owens